

Planning Commission Meeting
Regular Meeting, Nolensville Town Hall
July 8, 2004
7:00 P.M.

Member in attendance were as follows: Charles Knapper, Joe Curtsinger, Rick Fisher, Bob Haines, Larry Gardner, James Clark, Rob Pease, and Willis Wells. Staff present: Richard Woodroof, Dana Ausbrooks, Dave Ausbrooks, Bill Terry, and Tonia Smith.

Agenda Item I – Meeting called to order by Chairman Willis Wells

Agenda Item II – Pledge of Allegiance

Agenda Item III – Approval of minutes

Charles Knapper stated under the citizen comments there were a lot of good comments that were made that night. Charles Lawson made a comment asking we change statement to allow medical facility in the ER and UR Zones. That will be an item address at one of our workshops, as to if it is feasible or not.

Charles Knapper stated on the next item, Thomas Stearns had comments regarding the road. I have spoke with Mr. Stearns on that issue. I did meet with and have approval from the Board of Mayor and Aldermen to begin the process of the traffic studies. We will be doing a Major Thoroughfare Plan with Gillian Fischbach.

Charles Knapper stated on the next item, on Beth Lothers comment, question if she meant independent of instead of dependent on the workshop discussion. The way it reads there; it does not make a lot of since. Also in that paragraph were it reads, what was past that evening. It should read, what was passed that evening.

Charles Knapper reiterated that in this meeting I pointed out, because it being the Forth of July, it would be a good possibility that the density bonus would not be considered until August.

Rick Fisher stated on page 1 last paragraph, first sentence were should be where. On page 2 under Thomas Stearns seconded to the last sentence Rock Fork, should be Rocky Fork.

Charles Knapper made a motion to approve the amended minutes, seconded by Rob Pease, passed unanimously.

Agenda IV – Citizen Comments

Carla Ediger- 309 Walpole Court- stated she has good news and, bad news. Good news is she has nothing to say. Bad news is she does have a hand out to give with Beth Lothers, Ted Lothers and her comments on them.

Ted Lothers – 304 Walpole Court- stated he would like to clarify on the proposal of the density changes from the workshop, it says 14,000 ft² average lot size 25% may be reduced to minimum 10,000 ft².

Agenda V -New Business

A.) Bent Creek Grading Plan

Richard Woodroof stated this is a proposal for Bent Creek to do a cut and fill on the property. It was deferred last month. They have presented the staff with a balanced cut and fill, hec-ras on it, and Eric put extra cross section in. I have reviewed those and I think they are ready to talk about it.

Mike Delviziis stated they are requesting approval. We did add the extra cross sections and we performed the hec-ras study. In the studies it shows there is no impacted on adjacent properties.

Rob Pease stated I have two question, what are we approving here? I know it is a change in the flood plain but for what reason. You do not have the plans before us. We don't know what is happening here. I think it shows commercial in part of this area, when nothing has been rezoned and nothing has been approved. What is before us is grading of a flood plain and we really don't know what for. It also appears a portion of that is in area zoned for residential.

Richard Woodroof stated in the zoning ordinance it allows us to do a balance cut and fill. Also in the zoning ordinance it states that it has to be brought before the Planning Commission before issuing a grading permit.

Rob Pease stated, does this meet requirements? I think there were three criteria for a lot of record?

Richard Woodroof stated this is not going for a no cut. They are going for a balance. They are going to do a balance cut and fill. It cannot affect adjacent properties with velocity or elevation.

Mike Delviziis stated we would like to also request the grading permit is valid for three years.

Charles Knapper stated the purpose for this grading plan is for what and what will it accomplish?

Mike Delviziis stated the first thing it is going to accomplish is for the owner of the property the right to build, regardless of what the intent. Because he has a lot of record before 1981, he has the right. The primary reason is to increase the build able area into commercial.

Richard Woodroof stated that staff recommendation is for approval.

Charles Knapper stated that in the staff recommendation that was type up it reads. The commission may give approval to the grading plan subject to filing the association documents and the restrictive covenants prior to the plat being signed; as well as the filing of a typical lot landscape plan prior to issuance of any building permits. The commission should also stipulate that future sections and phases shall be subject to the final PUD requirements as now included in the Zoning Ordinance. If we do that, are we saying that this phase also is meeting the final PUD requirement?

Bill Terry stated it does not meet all the aspects of the final PUD requirements because you don't have it in front of you right now. You've reviewed the detailed building plans for architecture and elevation. The construction documents which they have submitted to staff, that is part of the final plan. The restrictive covenants and the association documents are part of the final plan. These entire things form together a finalized plan for a PUD. The plat follows along after that. Due to the confusion in the changing of the ordinance, it seems, this is a reasonable compromise to get the requirement we have in place.

Rick Fisher stated the main purpose you are wanting to get to grading permit is to move the dirt to where the purposed commercial is or is it just to get phase one started?

Mike Delviziis stated that the fill would provide for the commercial area and construction of the road.

Rick Fisher stated that it has not been zoned for commercial and when the issue comes up, it may or may not be turned down.

Mike Delviziis stated that they understand that. We are requesting the grading permit so the developer has an option to proceed.

Richard Woodroof stated that this is a property owner that wants to do a balanced cut and fill in the flood plain. As a property owner, in our zoning ordinance, you have the right to do it if they meet these criteria. What they have turned in, it does meet the criteria. It is not a question of Bent Creek. It is a question on the property owner's right to be able to do the grading.

Charles Knapper reiterated that the staff's calculation shows there is no change in flow of velocity.

Richard Woodroof stated, what they showed me from their hec-ras runs is on adjacent property there is not a change in elevation or velocity.

Charles Knapper made a motion to accept the grading plan that Bent Creek has proposed. Rick Fisher seconded the motion. The motion was past six for, James Clark was against and Rob Pease abstained.

B.) Bent Creek Phase 1, Section 1 Final Plat

Bill Terry stated there are a couple of elements that are missing for the final master plan, we can add to, on a conditional approval if it is chosen to do that. It would be a landscape plan, which would meet requirement of the zoning ordinance and the filing of the restrictive covenants and an article incorporation of the homeowners association. The other comments are minor technical corrections. There is one question that does need to be raised. It has to do with the status of the Clovercroft Road as a collector road. The plat dedicates twenty-five feet from the centerline of Clovercroft to provide for a fifty-foot right-of-way.

Mike Delviziis stated we did speak with Bill prior to the meeting. If that needs to be part of the conditional approval we can do that research. If you look at the plat along Clovercroft as it exists right now, the twenty-five feet dedication does not go to the real property line of those lots.

Bill Terry stated these are mostly technical corrections.

- 1.) All blank spaces other than the signature in the final plat certificates need to be filled with the appropriate data;
- 2.) Note 9 relating to landscaping does not comply with the landscape requirements for residential developments;
- 3.) If Clovercroft Road is designated as a collector road, additional right-of-way is needed. A 60-foot r-o-w would require an additional 5-foot dedication on this side of the roadway. This may need to be discussed relative to proposed changes in the street pattern;
- 4.) One surveyed corner needs to specify the coordinates to tie to the state plane system;
- 5.) Fire hydrant locations should be approved by the fire chief and should be spaced no more than 500 feet apart;
- 6.) The 100-year flood elevation should be specified on the plat with a benchmark;
- 7.) Lots 10 through 12 should also have a specified 1st floor elevation. All such elevations should be 3 feet above the base flood;
- 8.) Show locations of entrance signage if any;
- 9.) Provide erosion control plan;

10.) Establishment of amounts of bonds.

Charles Knapper made a motion to pass with condition:

- 1.) The association documents and the restrictive covenants prior to the plat being signed;
- 2.) The filing of a typical lot landscape plan prior to issuance of any building permits.
- 3.) The Planning Commission could place stipulation that future sections and phases shall be subject to the final PUD requirements as now included in the zoning ordinance.
- 4.) We include the 10 minor technical corrections that Bill Terry Stated.

Larry Garder seconded the motion.

There was heavy discussion on the plan as to where the people would park when visiting a homeowner, are there any walking trails and how there would be access to the front door with no sidewalks.

Joe Curtsinger made a motion to table it until staff can review it. Bob Haines seconded the motion. Motion passed unanimously.

C.) Hailey Industrial Park Revised Preliminary Plat

Bill Terry stated this is the preliminary plat for the Industrial Park, which is divided into 16 lots. We have meet with the engineers on two occasions to discuss the changes and alteration. Most of these have been made. The only comments I have on the plat.

- 1.) The drainage easement on lots 1 and 16 should be fully dimensioned;
- 2.) More fire hydrants are needed to meet the requirements of the fire department
- 3.) Sewer lines constructed off the property, actually out of city limits, on an adjoined property, which is also owned by this developer.

Bill Terry stated staff recommendation is conditional approval.

Rob Pease made a motion for approval under the condition Bill Terry stated. Rick Fisher seconded the motion. Motion passed unanimously.

C.) Hailey Industrial Park Phase 1 Final Plat

Bill Terry stated that the comments we have left are very minor, such as filling in the blanks on the certificate of ownership and dedication. They need to be filled in with book and page numbers. The other issue is basically that the drainage easements shown on lot one and sixteen needs to have final dimensions as to it's size from known points on the survey lines. There is also one on lot number

two that needs to be dimensions. Authorization for the establishment of the bonds and the estimate of the bonds should be prior to signing the final plat.

Rob Pease made a motion to approval the final plat with these conditions:

1. Filling in the blanks on the certificate with page numbers
2. The drainage easements shown on lot 1, lot 2, and lot 16 have final dimensions as to it's size from known points on the survey lines.
3. Authorization for the establishment of the bonds
4. Estimate of the bond amounts

Rick Fisher seconded the motion. Motion passed unanimously.

Richard Woodroof stated that we where given the estimates of Phase 1 and the bond amount would be \$189,750.00.

Rick Fisher made the motion to have the bond set of the Hailey Industrial Park, Phase 1 to \$189,750.00. Bob Haines seconded the motion. Motion passed unanimously.

D.) Blue Bell Site Plan

Bill Terry stated that the site plan that you see is for development of lot number 6, which is for a Blue Bell Creamery. All comments were addressed in a satisfactory manner.

Richard Woodroof stated he did have something to add on sheet C2.1 we did ask them to show all easements that affected the lot from the final plat. We requested a letter allowing for the grading off site.

Rob Pease made a motion to approve with conditions:

- 1.) Show all easements that affect the lot from the final plat.
- 2.) Send in the letter of the approval on grading off site.

Joe Curtsinger seconded the motion. Motion passed unanimously.

E.) Chilver Building Site Plan

Item deferred at the request of the applicant.

Agenda Item VI -Old Business

A.) Monthly Bond Reports

Richard Woodroof stated we received the bonds for McFarlin Woods section 1 and 2. The next bonds to be due are in December. We will discuss that in two months before the bond become due.

Larry Gardner made a motion to approve the bonds. Rick Fisher seconded the motion. Motion passed unanimously.

B.) Density Bonus

There was heavy discussion on the 28% open spaces and density bonus.

Charles Knapper made a motion to add to Section 2.2.3. Open Space Development Overlay, General Requirements:

- F.) Proposed lots adjacent to or abutting an existing development shall be equal to or greater than the minimum lot size of the adjacent development.
- G.) Average lot size will be calculated to include all lots, with the average lot size to be 14,000ft². 25% of the lots may be reduced to minimum of 10,000 ft².
- H.) Lots shall have a minimum lot width of 90' at the buildings set back, 25% of the lot's widths at the set backs may be reduced to 65'.
- I.) Up to 30% of lots may have front entry garages.
- J.) A minimum of 28% open space.
- K.) The Density Bonus is Zero.

Joe Curtsinger seconded the motion. Motion was passed six to two. Rob Pease and Bob Haines apposed the motion.

Agenda Item VII – Other Business

Being no further business to come before the Planning Commission the meeting was adjourned at 9:15 P.M.

Larry Gardner
Secretary for the Planning Commission

Date